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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/619,154	07/14/2003	James Patrick Griffin JR.	91233.069703	6780

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EXAMINER	
STRIMBU, GREGORY J	

ART UNIT	PAPER NUMBER
3634	

DATE MAILED: 07/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/619,154	GRIFFIN, JAMES PATRICK	
	Examiner	Art Unit	
	Gregory J. Strimbu	3634	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *25 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23 and 28* is/are pending in the application.

4a) Of the above claim(s) *16,17 and 28* is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-15 and 18-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

Election/Restrictions

Applicant's election with traverse of Group VI in the reply filed on November 12, 2004 is acknowledged. The traversal is on the ground(s) that claim 28 is of the same invention as claims 1-27. This is not found persuasive because the apparatus of claim 18 is not merely a broader recitation of the invention, it is a different invention. Note that the door reinforcement is not required for claim 18 and is required for claim 28. The making of the apparatus according to claim 28 would produce an apparatus that is materially different from the one set forth in claim 18 because the apparatus of claim 28 would include an additional reinforcing plate attached to the door frame.

The requirement is still deemed proper and is therefore made FINAL.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-3, 5-7, 9, 12, 18-21 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Childress. Childress discloses a security device for a door 10 and corresponding door frame 12, comprising: a door reinforcing plate 118 fixable to a

vertical edge 14 of the door and extending a significant length of the edge; and a frame plate 110 fixable to a corresponding vertical portion of the door frame.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Childress as applied to claims 1-3, 5-7, 9, 12, 18-21 and 23 above, and further in view of Yarrow. Yarrow discloses a security device comprising a widened portion 20 reinforcing portions of the door 12 adjacent lock assemblies 14 and 16.

It would have been obvious to one of ordinary skill in the art to provide Childress with a widened portion, as taught by Yarrow, to further increase the strength of the door adjacent the door lock assemblies.

Claims 8 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Childress as applied to claims 1-3, 5-7, 9, 12, 18-21 and 23 above, and further in view of Long. Long discloses a reinforcing plate 10 comprising stainless steel.

It would have been obvious to one of ordinary skill in the art to provide Childress with a stainless steel construction, as taught by Long, to increase the strength and corrosion resistance of the security device.

Claims 11 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Childress as applied to claims 1-3, 5-7, 9, 12, 18-21 and 23 above, and further in view of Beitel. Beitel discloses a reinforcing device 18, 20 extending about all edges of a door 10.

It would have been obvious to one of ordinary skill in the art to provide Childress with a reinforcing plate about the remaining edges of the door, as taught by Beitel, to increase the strength of the door.

Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Childress as applied to claims 1-3, 5-7, 9, 12, 18-21 and 23 above, and further in view of Stein. Stein discloses a silicon adhesive.

It would have been obvious to one of ordinary skill in the art to provide Childress with a silicon adhesive, as taught by Stein, to increase the bond between the door and the door reinforcing plate.

Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Childress as applied to claims 1-3, 5-7, 9, 12, 18-21 and 23 above, and further in view of Anderson. Anderson discloses a frame plate 50 which extends substantially the entire length of the vertical portion of the door frame. See column 3, line 47.

It would have been obvious to one of ordinary skill in the art to provide Childress with a length, as taught by Anderson, to increase the strength of the door jamb.

Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Childress as applied to claims 1-3, 5-7, 9, 12, 18-21 and 23 above, and further in view of Raulerson et al. Raulerson et al. discloses frame plates 22c and 22b attached to the remaining portions of a door frame 24.

It would have been obvious to one of ordinary skill in the art to provide Childress with frame plates, as taught by Raulerson et al., to protect the door frame.

Response to Arguments

Applicant's arguments filed April 25, 2005 have been fully considered but they are not persuasive.

With respect to the applicant's comments concerning Childress, the examiner respectfully disagrees. Since the applicant is apparently claming the subcombination of a security device, Childress need only be capable of performing as intended by the applicant to anticipate the claims. Childress is clearly capable of reinforcing the edge of a door panel that is thinner than the one disclosed by Childress and therefore anticipates the claimed invention. Additionally, the claim language "a door reinforcing plate fixable to a vertical edge of the door" does not mean that the plate covers the edge of the door. Rather, the claim language merely requires that the door reinforcing plate be capable of being fixed to the edge of the door. As shown in figure 2 of Childress, the reinforcing plate is clearly fixed to the edge of the door.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Gregory J. Strimbu whose telephone number is 571-272-6836. The examiner can normally be reached on Monday through Friday 8:00 to 4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Chilcot can be reached on 571-272-6777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Gregory J. Strimbu
Primary Examiner
Art Unit 3634
July 8, 2005